

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CR-21-28-F
)	
JOHN MIGUEL SWAN,)	
)	
Defendant.)	

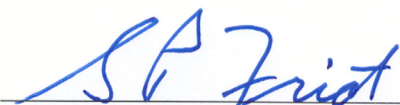
ORDER

Before the court is the defendant's "Motion for Clear Error 18 U.S.C. 35(a) Correcting or Reducing a Sentence," doc. no. 225, filed on March 19, 2025. As with the defendant's previous *pro se* filings, the court construes defendant's pleadings liberally and holds them to a less stringent standard than formal pleadings drafted by lawyers. However, the court cannot and does not assume the role of advocate for this *pro se* litigant. Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991).

A notice of appeal was filed in this case on March 11, 2025. Doc. no. 222. With limited exceptions, that filing divested this court of authority to entertain motions and grant relief on the merits. That said, the court, having reviewed the motion, notes that the matters presented in the motion are either (i) a rehash of contentions previously advanced and rejected or (ii) new arguments that come too late and are consequently waived.

Accordingly, to the extent that the motion presents matters that are properly before this court for consideration, the motion is **DENIED**.

DATED this 20th day of March, 2025.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE